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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,255	12/28/2000	Theodore Jack London Shrader	AUS920000851US1	7414

7590 04/21/2005

Darcell Walker
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EXAMINER

HO, THOMAS M

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,255

Applicant(s)

SHRADER ET AL.

Examiner

Thomas M. Ho

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 29 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The amendment of 11/29/04 has been received and entered.
2. Claims 1-18 are pending.

Response to Arguments

3. Applicant's arguments have been fully considered, but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-18 rejected under 35 U.S.C. 102(e) as being anticipated by Sudia et al.
6. Claims 1, 10 are additionally rejected under 35 U.S.C. 102(b) as being anticipated by Internet Explorer 3 for Windows for Dummies, Doug Lowe, IDG Books, 1996, pages 139-153.

In reference to claim 1:

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“Internet Explorer 3 for Windows for Dummies” discloses a general communication transmission method that enables a transmitted message to span synchronous and asynchronous protocols over a computer network during one transmission comprising:

- Packaging a message for transmission in a data object, the message packages including information on the original message in the transmission and email attachments, and the data object is an email. (“sending electronic email” p. 141)
- Sending the packaged message to a designated recipient entity, where the message is transmitted to the recipient of the email. (“sending electronic email” p. 141)
- Receiving the message by a current recipient entity at a location, where the email may be received by the recipient at a personal computer. (“receiving electronic email” p. 151-152)
- Recording the event of receiving the packaged message by a current recipient in a message transmission history generated for the transmitted message, where the event is recorded in the user’s Email client which shows that emails were received. (Figure 11-1, page 140)
- Determining whether the current recipient entity is the designated recipient entity, where the email server which is inherent to email systems, determine whether the current recipient entity is the designated entity and then proceed to send email to that entity. (ex. An email for asdf@asdf.com will not goto qwer@qwer.com)

In reference to claim 1:

Sudia et al. (Column 16, line 20 – Column 18, line 20) discloses a general communication transmission method that enables a transmitted message to span synchronous and asynchronous protocols over a computer network during one transmission comprising:

- packaging a message for transmission in a data object, where the message is the document, and the data object it is packed in also contains the header. (Column 16, lines 30-37) the message packages further including information on the original message in the transmission; (Column 16, lines 30-37)
- sending the packaged message to a designated recipient entity, where the recipient entities include the authorizing agents and the signing devices.
- receiving the message by a current recipient entity at a location, where the locations include the authorizing agents and the signing devices.
- Recording the event of receiving the packaged message information by current recipient in a message transmission history generated for the transmitted message, where the message transmission history is indicated by each of the parties that signed the document as it passes through the network. (Column 16, lines 45-52) & (Column 16, lines 57-65) & Figure 10.
- determining whether current recipient entity is the designated recipient entity, where the designated recipient entity is checked by examining whether at each point, the entity has received the quorum of digital signatures. (Column 17, lines 13-18) & (Column 17, lines 38-45)

In reference to claim 2:

Sudia et al. (Column 16, line 65 – Column 17, line 5) & (Column 17, lines 13-18) discloses a method as described in claim 1 comprising before said designated recipient determining step, the step of modifying the packaged message information in indicate that the current recipient entity received the package message by adding substantive information to said packaged message, where the substantive information to each packaged message includes a new header, and or partial digital signature, and indicates the recipient received the message.

In reference to claim 3:

Sudia et al. (Column 16, line 20 – Column 18, line 20) discloses the method as described in claim 1 wherein said message package is a data object with data fields containing the original message, signing certificate. signature bytes and signed attributes and wherein modification of the message package comprising creating a new data object that is added to the original data object, the new data object having additional information concerning the transmission, where the message package is further modified by affixing an additional signature which is added to the original data object, where the data object contained the original message, signing certificate, signature bytes, and other signed attributes, and where the new data object afterwards has information concerning the transmission. (Column 16, lines 54-65)

In reference to claim 4:

Sudia et al. (Column 9, lines 50-52) & (Column 10, lines 25-35) discloses a method as described in claim 1 wherein each recipient entity uses a public key and private key pair to authenticate the packaged message origin and contents.

In reference to claim 5:

Sudia et al. (Column 10, lines 10-22) discloses a method as described in claim 4 further comprising verifying the packaged message by a recipient entity using the sending entities public key, where the public key is the public signature verification key.

In reference to claim 6:

Sudia et al. (Column 16, lines 54-65) discloses a method as described in claim 1 wherein said step of determining whether current recipient entity is the designated recipient entity comprises determining whether the packaged message received by said recipient entity has an existing message, where the packaged message is unpackaged to determine whether the designated entity should be the one to sign the document.

In reference to claim 7:

Sudia et al. (Column 16, line 20 – Column 18, line 20) discloses a system for transmitting messages spanning synchronous and asynchronous protocols over a computer network comprising:

- a network transmission mechanism that enables transmissions across synchronous and asynchronous protocols, where the network transmission mechanism that allows

transmissions across synchronous and asynchronous protocols is the sealed message/object and the audit trail (Column 16, lines 54-65)

- a data structure for containing the information message transmitted over the computer network the data structure having multiple fields for containing various items related to the message being transmitted; and encryption key pairs to ensure authenticity and integrity of the message during transmission between sender and final receiver sites, where public and private key cryptography are used and the data structure has multiple fields for containing various items related to the message such as the digital signatures. (Column 16, lines 44-53) & (Column 9, lines 45-55)
- a message transmission history file containing events of each of a stop a transmitted message in route to the message destination, where the message transmission history file is the document being sent, which is modified by each destination en route with the final message destination, thereby containing events of each stop. (Figure 10)

In reference to claim 8:

Sudia et al. (Column 16, lines 30-65) discloses a system as described in claim 7 wherein said data structure contains information comprising original message, signing certificate, signature bytes and signed attributes, where the original message is the document of transmission, where the signing certificate is the signed certificate (Column 16, lines 49-51), where the signature bytes are the bytes of the actual signature, and the signed attributes includes the hash, the audit trail, and the multiple signatures, as well as other attributes indicative of a signature.

In reference to claim 9:

Sudia et al. (Column 16, lines 30-65) discloses a system as described in claim 7 further comprising additional data structures that can be linked and thereby added to the data structure of the original message at each receipt of the message during transmission, said additional data structures containing information about the message transmission, where the additional data structures are the additional signatures and partial signatures affixed which contain information about the message transmission (the audit trail)

Claims 10-18 are rejected for the same reasons as claims 1-9.

Conclusion

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of the final action and the advisory action is not mailed under after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension pursuant to 37 CFR 1.136(A) will be calculated from the mailing date of the advisory action. In no event, however,

will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication from the examiner should be directed to Thomas M Ho whose telephone number is (571)272-3835. The examiner can normally be reached on M-F from 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A. Morse can be reached on (571)272-3838.


The Examiner may also be reached through email through Thomas.Ho6@uspto.gov

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.

General Information/Receptionist	Telephone: 571-272-2100	Fax: 703-872-9306
Customer Service Representative	Telephone: 571-272-2100	Fax: 703-872-9306

TMH

April 17th, 2005


GREGORY MORSE
SUPERVISORY EXAMINER
TECHNOLOGY GROUP